

Amendments to the Drawings:

The attached drawing sheet includes changes to Figure 1. This sheet which includes Figure 1 replaces the first replacement sheet 1 filed in a previous drawing amendment.

Attachment: Replacement Sheet

R E M A R K S

This amendment is in response to the Final Office Action mailed on May 30, 2004 wherein Claims 1-12 and 14-18 were rejected. Claims 1-12 and 14-18 remain pending.

Objections to the Drawings

On page 2 of the Office Action, the Examiner objected to the drawings because the drawings did not show every feature of the invention specified in the claims. Applicants have amended Figure 1 to comply with the Examiner's objection.

Claim Rejections Under 35 USC § 102 and 103

On page 3 of the Office Action, the Examiner rejected Claims 1, 2, and 6 under 35 USC §102as being anticipated by Kano et al. On page 3 of the Office Action, Claim 3 was rejected under 35 USC §103 as being unpatentable over Kano et al. in view of Jarczynski, Claim 4 was rejected under 35 USC §103 as being unpatentable over Kano et al. On page 5 of the Office Action, Claim 5 was rejected under 35 USC §103 as being unpatentable over Kano et al. in view of Yamamoto. On page 6 of the Office Action, Claims 7 and 8 were rejected under 35 USC §103 as being unpatentable over Kano et al. in view of Grennan et al. On page 7 of the Office Action, Claims 9-12, 14, 17, and 18 were rejected under 35 USC §103 as being unpatentable over Yamamoto in view of Kano et al. On page 8 of the Office Action, Claims 15 and 16 were rejected under 35 USC §103 as being unpatentable over Yamamoto in View of Kano et al. and Grennan et al.

With reference to Claims 1, 2, and 6, Kano et al. propels fluid through a shaft of an electric motor using a pump as disclosed in column 3, lines 50-52 ("This lubricating oil chamber 98 is connected with an engine oil supply source, such as a pump"). The present claimed invention utilizes centrifugal force to propel the coolant through the rotor and motor shaft. The use of "pumped" coolant requires a coolant pump and is fundamentally different than the use of centrifugal force in the present invention. Kano et al. does not teach or suggest the present claimed invention.

With reference to Claim 4, Applicants reject the Official Notice regarding the use of a permanent magnet in and electric motor request support for the Examiner's assertion.

With reference to Claim 5, Kano et al. and Yamamoto (“supplied with pressure from an external oil source”) both disclose externally pumped coolants and not the use of centrifugal force to propel coolant through a rotor and motor shaft. Kano et al. and Yamamoto, singly or in combination, do not teach or suggest the present invention.

With reference to Claim 3, Kano et al and Jarczynski both disclose externally pumped coolants and not the use of centrifugal force to propel coolant through a rotor and motor shaft. Kano et al. and Jarczynski, singly or in combination, do not teach or suggest the present invention

With reference to Claims 9-12, Kano et al. and Yamamoto (“supplied with pressure from an external oil source”) both disclose externally pumped coolants and not the use of centrifugal force to propel coolant through a rotor and motor shaft. Kano et al. and Yamamoto, singly or in combination, do not teach or suggest the present invention.

With reference to Claims 15 and 16, Grennan discloses an air cooled dynamometer, as disclosed in column 2, lines 29-50. Vanes act as impellers to propel the air, as disclosed in column 5, lines 7-15. Grennan is completely silent with respect to a nongaseous liquid coolant propelled by centrifugal force through a rotor and motor shaft. Kano et al. discloses an externally pumped coolant and not the use of centrifugal force to propel coolant through a rotor and motor shaft. Furthermore, the combination of Grennan, Kano et al. and Yamamoto would generate a nonfunctioning systems as the vanes of Grennan do not have the capability to pressurize oil in an electric motor. The CCPA and Federal Circuit have consistently held that an obviousness rejection based on a modification that destroys, the intent, purpose or function of the invention disclosed in a reference is not proper and a prima facie case of obviousness cannot be properly made. *In re Gordon* 733 F.2d 900, 221.

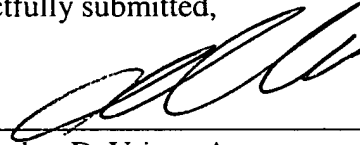
The Examiner has failed to explain how and why the claimed subject matter is rendered unpatentable over the prior art and point out where each of the specific limitations recited in the rejected claims is found in the prior art relied on. If the Examiner relies on personal knowledge that the apparatus of the present invention is obvious, Applicants respectfully request support for this assertion in the form of an affidavit that shall be subject to contradiction or explanation by the affidavits of the Applicants and other persons under 37 CFR 1.104(d)(2).

Conclusion

The entire Office Action, dated November 30, 2004, has been carefully reviewed, and this response is submitted as being fully responsive thereto. In view of the preceding remarks, Applicants respectfully submit that Claims 1-12 and 14-18 are in condition for allowance and respectfully request such action at the Examiner's earliest convenience. If the Examiner believes that personal contact would be advantageous to the disposition of this case, he is requested to call the undersigned at his earliest convenience.

Please charge any fee for adding the new claims, and any other fees which may be due, to Deposit Account No. 07-0960.

Respectfully submitted,



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